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October 17, 2012

To: USPTO (Refund Request)

Facsimile No.: 571-273-6500

From: Theresa Badet (858) 651-0159

Total of 3 pages including cover sheet.

Attached please find a Request for Refund Under 37 C.F.R. 1.26(a).

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 6,185,127 Confirmation No. 4825
Applicant : Theodore M. Myers
Requestor: : QUALCOMM Incorporated
Granted : February 6, 2001
Examiner : Son T. Dinh
Requestor's Customer No.: 23696

REQUEST FOR REFUND UNDER 37 C.F.R. § 1.26(a)

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

This Request for Refund is in response to the United States Patent and Trademark Office communication mailed September 25, 2012 denying our initial request for a refund. A second request is made to the USPTO under 37 C.F.R. 1.26(a) and 35 U.S.C. 42 for refund of a "fee paid by mistake" in this case.

On August 2, 2012, Requestor mistakenly paid a twelve year Maintenance Fee (small entity) for the above-identified application in the amount of \$2,365.00 as a "fee paid by mistake". Requestor paid these funds by actual mistake.

The subject application is not owned by the Requestor nor is the Requestor a representative of the patentee. Requestor believes this was a "fee paid by mistake" within the meaning of 35 U.S.C. 42(d). This was not a change of purpose. Requestor believes this was a fee paid when no fee was required as we are not the Assignee or a representative of the Assignee and have no duty to maintain the subject patent. Paradigm IP Law, PC is the representative of the Assignee responsible for the payment. Paradigm IP Law contacted Requestor directly and

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requested Requestor's assistance so that Paradigm IP may properly make the payment on behalf of their client, the Assignee.

In view of the forgoing facts and reasons, Requestor respectfully requests that the USPTO refund the payment of the twelve year maintenance fee to Requestor's Deposit Account Number 17-0026 so that Paradigm IP Law can make the payment on the subject patent owned by their client.

Respectfully submitted,

Dated: 17 October 2012

By: Steven R. Thiel
Steven R. Thiel, Reg. No. 53,685
1-858-651-7298

QUALCOMM Incorporated
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